

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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In re OMEGA HEALTHCARE INVESTORS, INC.  
SECURITIES LITIGATION  
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**ORDER**

This Document Relates To:

17 Civ. 8983 (NRB)

ALL ACTIONS  
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**NAOMI REICE BUCHWALD**  
**UNITED STATES DISTRICT JUDGE**

WHEREAS, on August 3, 2020, the U.S. Court of Appeals for the Second Circuit issued an opinion reversing this Court's decision in Royce Setzer v. Omega Healthcare Inv'rs, Inc., No. 19-1095, \_\_ F.3d \_\_, 2020 WL 4431902 (2d Cir. Aug. 3, 2020) (ECF No. 74), and remanded the case; and

WHEREAS, on August 3, 2020, plaintiffs filed a letter requesting that the Court convert plaintiffs' pending motion for relief from the judgment (ECF No. 65) into a motion for leave to amend the complaint (ECF No. 75); and


WHEREAS, on August 18, 2020, the parties' stipulated that plaintiffs may file a second amended complaint by August 28, 2020, which the Court so-ordered (ECF No. 77), it is hereby

ORDERED that plaintiffs' motion for relief from the judgment (ECF No. 65) and request to convert that motion into a motion for leave to amend the complaint (ECF No. 75) are denied as moot.

The Clerk of Court is respectfully directed to terminate the motion pending at ECF No. 65.

**SO ORDERED.**

Dated: New York, New York  
August 26, 2020

  
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NAOMI REICE BUCHWALD  
UNITED STATES DISTRICT JUDGE